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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2020

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THE HONOURABLE **MR. JUSTICE S.S.SUNDAR**

Cont.P.(MD)No.1583 of 2019
in W.P.(MD)No.1499 of 2019

Rajendran

... Petitioner

Vs.

1.Balaji
The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

2.Nachiappan @ Kathiravan

... Respondents

Prayer : Contempt Petition is filed under Section 11 of the Contempt of the Court Act, 1971, to issue summons to the respondents for the wilful disobedience of the orders of this Court passed in W.P.(MD)No.1499 of 2019 dated 25.01.2019 and punish the respondents under the provisions of the Contempt of Courts Act.

Prayer in WP(MD). 1499 of 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 2nd respondent not to give First Respect and Parivattam to the 3rd respondent during Manchuvirattu event and temple festival celebration on 29.01.2019 in the Arulmigu Anthara Nachiyamman Temple at Devapattu Village, Karaikudi Taluk, Sivagangai District.

For Petitioner : Mr.V.Kannan

For R1 : Mr.A.Muthukaruppan,
Additional Government Pleader.

For R2 : Mr.K.K.Senthil

ORDER

This Contempt Petition has been filed to punish the respondents herein for their wilful disobedience of the order passed by this Court made in W.P.(MD)No.1499 of 2019, dated 25.01.2019.



2.This Court , on petitioner's counsel showing photographs to show that the first respect was given to the second respondent contrary to the direction of this Court in the writ petition, issued statutory notice.

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3.Thereafter, the second respondent was present before this Court and the learned counsel for the second respondent submitted that the learned counsel for the petitioner mislead the Court by producing certain photographs as if the first respect was given in relation to the event "Manjuvirattu" quite contrary to the direction of this Court. It is stated that the first respect was given to the second respondent in relation to the temple festival, which has no connection whatsoever, with relation to the event of "Manjuvirattu". The learned counsel further submitted that the petitioner in the contempt petition is threatening the Officers not to give permission to the "Manjuvirattu" for this year by showing this contempt petition.

4.Therefore, this Court directed the petitioner to file an affidavit explaining on what basis, this contempt petition was filed. However, the learned counsel appearing for the petitioner did not file any affidavit.

5.In this circumstances, this Court is inclined to dispose of this contempt petition based on the materials produced by the petitioner as well as the respondents.

6.As seen from the photographs produced before this Court, the first respect if any, is not part of the event "Manjuvirattu". The Tahsildar has given a letter to the Revenue Divisional Officer stating that there is no "Manjuvirattu" and no first respect was given to anyone in relation to the event "Manjuvirattu".

7.Hence, this contempt petition is devoid of merits and it is filed with ulterior motive. Accordingly, this contempt petition is dismissed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gns



To

Balaji
The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

+1 CC to M/s.V.KANNAN, Advocate (SR-1150[F] dated 09/01/2020)

Cont.P. (MD) No.1583 of 2019
08.01.2020

NS (CO)
TR (22.01.2020) 3P 3C